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OLC 69-0180

28 February 1969

MEMORANDUM FOR THE RECORD

**SUBJECT: Hearings by Special Subcommittee on Inquiry of
USS Pueblo**

1. On learning from Mr. O'Neill that Representative Otis Pike's Special Subcommittee on Inquiry of USS Pueblo plans to call the Director regarding the Pueblo case in open session on 5 March, I discussed the problem with Mr. Roy Banner, General Counsel, NSA. Mr. Banner said General Carter, faced with a similar problem, plans flatly to refuse to discuss any aspect of the matter except to cite what is contained in official publications regarding the missions and functions of NSA. Mr. Banner quoted General Carter as saying if they try to press further in open session he will take the problem "to the top."
2. I discussed the above problem with Mr. Charles Havens, ISA, who has been designated as Special Assistant to the Secretary of Defense to coordinate the Pueblo problem. Mr. Havens said DOD is vigorously opposed to public hearings of any kind; that if the Subcommittee insists, Admiral Moorer will appear in open session on 4 March but refuse to discuss any classified information except in executive session.
3. Mr. Havens assured me that he will provide us with a copy of Admiral Moorer's prepared statement as soon as it is available, but this is still being drafted.
4. Per the Director's instructions, called Admiral O'Brien in the Navy who said he had a mass of material regarding the Pueblo and would gladly make available to us whatever we may need if we could identify our interest. He mentioned that Chuck Collins was familiar with this material and could acquaint me with its nature. I then called Mr. Collins who offered to contact Admiral O'Brien and get from him any material we might be interested in.

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5. Called Frank Slatinshek, House Armed Services Committee staff, who confirmed that Chairman Pike had agreed that the Director's appearance be in executive session only. Mr. Slatinshek said we could expect a number of questions on the "methodology" applied by the 303 Committee in reaching its decision on matters such as the Pueblo mission, i. e., what factors are taken into consideration, the roles and responsibilities of the various participants, etc. Slatinshek said "off the record" that the Subcommittee wants to be sure that in the 303 process all relevant factors, especially including the risks, are fully examined. Slatinshek noted that the Subcommittee expects General Carter to be the primary source of information on damage assessment but will want reassurances from the Director that he is following this aspect closely in view of his community responsibilities.

6. Called Representative William Bates (R., Mass.), (weekending in Florida) senior Republican member of the House Armed Services Committee and an ex-officio member of Representative Pike's Subcommittee, regarding the Pueblo matter. Mr. Bates assured me that he would support us if the question of appearing in open session should again arise and he would do what he could to keep the other members of the Subcommittee from raising improper or irrelevant questions during the Director's appearance. Mr. Bates feels that the Agency has little to worry about so far as the Pueblo matter is concerned.

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